

Appl. No. 10/705,567  
Atty. Docket No. CM2691M  
Amdt. dated April 20, 2006  
Reply to Office Action of December 20, 2005  
Customer No. 27752

### REMARKS

#### Claim Status

Claims 1-17 and 24 are pending in the present application. No additional claims fee is believed to be due.

Claims 18-23 and 25-33 are canceled without prejudice.

Claims 1, 17 and 24 have been amended to more specifically characterize the free water content of the claimed cleaning composition. Support for this amendment is found at page 2, line 33 – page 3, line 2 of the specification.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

#### Rejection Under 35 USC §112, Second Paragraph

The Office Action States that Claims 28 and 29 are rejected under 35 U.S.C. § 112, second paragraph for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have cancelled the indicated claims to address the rejection under 35 U.S.C. § 112, second paragraph.

#### Rejection Under 35 USC §102(b) Over WO 98/26040 (Hanaoka)

The Office Action has rejected Claims 1-6, 9-10, 13, 15-16, 30 and 33 over Hanaoka. Applicants submit that, as amended, the claimed invention of the present application is not taught by Hanaoka. Specifically that the compositions taught by Hanaoka have large amounts of water present in the composition. At page 19 of Hanaoka, it is taught that water is preferably used in a proportion of 50 to 98.9% by weight of the detergent. Hanaoka further teaches that if the water content is less than 50% by weight, the solid abrasive particles and the protective layer-forming component may not spread uniformly on a surface to be cleaned. Page 19, lines 5-7. Applicants have amended the claimed cleaning composition to have less than 10% of free water content and request that the rejection under 35 U.S.C. § 102(b) be withdrawn.

#### Rejection Under 35 USC §103(a) Over WO 98/26040 (Hanaoka)

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Claims 7-8, 11-12, 14, 17-18, 21-25, 28-29, 31-32 have been rejected under 35 USC §103(a) as being unpatentable over Hanaoka. Applicants submit that Hanaoka does not establish a *prima facie* case of obviousness because it does not teach or suggest all of the claim limitations of Claims 7-8, 11-12, 14, 17-18, 21-25, 28-29 and 31-32. Applicants submit that, as amended, the claimed invention of the present application is not taught by Hanaoka. Specifically that the compositions taught by Hanaoka have large amounts of water present in the composition. At page 19 of Hanaoka, it is taught that water is preferably used in a proportion of 50 to 98.9% by weight of the detergent. Hanaoka further teaches that if the water content is less than 50% by weight, the solid abrasive particles and the protective layer-forming component may not spread uniformly on a surface to be cleaned. Page 19, lines 5-7. Applicants have amended the claimed cleaning composition to have less than 10% of free water content and submit that Hanaoka does not teach or suggest all of the claim limitations of Claims 7-8, 11-12, 14, 17-18, 21-25, 28-29 and 31-32 and, therefore, does not establish a *prima facie* case of obviousness (see MPEP 2143.03).. Therefore, the claimed invention is unobvious and that the rejection should be withdrawn.

#### Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §§112, second paragraph, 102(b) and 103. Early and favorable action in the case is respectfully requested. Applicants' attorney invites the Examiner to contact her with any questions the Examiner may have regarding the above referenced case.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-17 and 24 is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By

  
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